

CLOSED, LEAD

**U.S. District Court  
District of Delaware (Wilmington)  
CIVIL DOCKET FOR CASE #: 1:04-cv-00180-KAJ  
Internal Use Only**

iGames Entertainment v. Chex Services, Inc., et al  
Assigned to: Honorable Kent A. Jordan  
Demand: \$75,000  
Cause: 28:1332 Diversity-Breach of Contract

Date Filed: 03/24/2004  
Jury Demand: Both  
Nature of Suit: 190 Contract: Other  
Jurisdiction: Diversity

**Plaintiff**

**iGames Entertainment, Inc.**

represented by **Thomas P. McGonigle**  
Wolf, Block, Schorr & Solis-Cohen  
Wilmington Trust Center  
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Wilmington, DE 19801  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

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*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Chex Services, Inc.**

represented by **James W. Semple**  
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222 Delaware Ave.  
P.O. Box 2306  
Wilmington, DE 19899  
(302) 888-6800  
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*LEAD ATTORNEY*  
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**James Edward Drnec**  
Bifferato Gentilotti Biden & Balick

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Fax: (302) 429-8600  
Email: jdrnec@bgbblaw.com  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Equitex, Inc.**

represented by **James W. Semple**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**James Edward Drnec**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Counter Claimant**

**Chex Services, Inc.**

represented by **James W. Semple**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Counter Claimant**

**Equitex, Inc.**

represented by **James W. Semple**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Counter Defendant**

**iGames Entertainment, Inc.**

represented by **Thomas P. McGonigle**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Matt Neiderman**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Counter Claimant**

**Chex Services, Inc.**

represented by **James W. Semple**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Counter Claimant**

**Equitex, Inc.**

represented by **James W. Semple**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Counter Defendant****iGames Entertainment, Inc.**

represented by **Thomas P. McGonigle**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Matt Neiderman**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
03/24/2004	1	COMPLAINT filed. Magistrate Consent Notice to Pltf. FILING FEE \$ 150.00 RECEIPT # 135913 (bkb) (Entered: 03/24/2004)
03/24/2004		SUMMONS(ES) issued for Chex Services, Inc.; No summons issued for Equitex, Inc. (bkb) Modified on 03/24/2004 (Entered: 03/24/2004)
03/25/2004	2	RETURN OF SERVICE executed as to Equitex, Inc. 3/24/04 Answer due on 4/13/04 for Equitex, Inc. (dab) (Entered: 03/26/2004)
03/29/2004	3	RETURN OF SERVICE executed as to Chex Services, Inc. 3/25/04 Answer due on 4/14/04 for Chex Services, Inc. (dab) (Entered: 03/30/2004)
03/31/2004	4	CASE assigned to Judge Kent A. Jordan . Notice to all parties. (rjb) (Entered: 03/31/2004)
04/13/2004	5	ANSWER to complaint and COUNTERCLAIM by Chex Services, Inc., Equitex, Inc., against iGames Entertainment; (Attorney James W. Semple added). (rwc) (Entered: 04/14/2004)
04/15/2004	6	Letter dated 4/15/04 by Judge Jordan to parties enclosing a scheduling order form and requesting the parties contact the Court w/in 10-days to schedule a teleconference. (rwc) (Entered: 04/15/2004)
04/21/2004	7	ANSWER AND AFFIRMATIVE DEFENSES filed by iGames Entertainment to [5-2] Counterclaim (rwc) (Entered: 04/21/2004)
04/21/2004	8	MOTION by iGames Entertainment with Proposed Order for Matthew A. Taylor to Appear Pro Hac Vice re: [8-1] motion (rwc) (Entered: 04/21/2004)
04/21/2004	9	MOTION by iGames Entertainment with Proposed Order for James W. Hess to Appear Pro Hac Vice re: [9-1] motion (rwc) (Entered:

		to all parties. (rwc) (Entered: 12/14/2004)
12/16/2004	75	Letter dated 12/16/04 to Judge Jordan by James M. Semple, Esq., Re: Supplement to Status Report. Two additional issues regarding possible discovery dispute. (rwc) (Entered: 12/16/2004)
12/16/2004	76	Notice of Deficiency from the court to James M. Semple, Esq., Re: L.R. 5.2(b) - copy of DI#75 not provided to Clerk. (rwc) (Entered: 12/16/2004)
12/16/2004		Status teleconference held before Judge Jordan. (Ct Rptr B. Gaffigan.) (rwc) (Entered: 12/17/2004)
12/17/2004	77	Steno Notes for 12/16/04 filed by Ct Rptr B. Gaffigan. (rwc) (Entered: 12/17/2004)
12/17/2004	78	NOTICE by iGames Entertainment to take deposition of Henry Fong on 12/23/04 at 10:00 (rwc) (Entered: 12/20/2004)
12/17/2004	79	NOTICE by iGames Entertainment to take deposition of Ijaz Anwar on 12/15/04 at 10:00 (rwc) (Entered: 12/20/2004)
12/17/2004	80	NOTICE by iGames Entertainment to take deposition of Deanna Moose on 12/28/04 at 9:00 (rwc) (Entered: 12/20/2004)
12/17/2004	81	NOTICE by iGames Entertainment to take deposition of George Connors on 12/29/04 at 9:00 (rwc) (Entered: 12/20/2004)
12/17/2004	82	NOTICE by iGames Entertainment to take deposition of Arnold Keuning on 12/28/04 at 10:30 (rwc) (Entered: 12/20/2004)
12/28/2004	83	STIPULATION with proposed order extending discovery deadlines: Expert disclosures to 1/26/05; Rebuttal disclosures to 2/11/05; Expert Depositions completed by 3/1/05. (rwc) (Entered: 12/28/2004)
01/04/2005		So Ordered granting [83-1] stipulation ( signed by Judge Kent A. Jordan ) Notice to all parties. (rwc) (Entered: 01/04/2005)
02/02/2005	84	MOTION by Chex Services, Inc. with Proposed Order for Summary Judgment on its Breach of Contract Claim Against iGames Entertainment, Inc. Answer Brief due 2/16/05 re: [84-1] Motion - (SEALED) (rwc) Modified on 02/03/2005 (Entered: 02/03/2005)
02/02/2005	85	Opening Brief Filed by Chex Services, Inc., in support of [84-1] motion for Summary Judgment on its Breach of Contract Claim Against iGames Entertainment, Inc. - Answer Brief due 2/16/05 - (SEALED) (rwc) (Entered: 02/03/2005)
02/02/2005	86	MOTION by Chex Services, Inc., Equitex, Inc. with Proposed Order for Summary Judgment on all Claims Asserted by iGames Entertainment, Inc. Answer Brief due 2/16/05 re: [86-1] motion - (SEALED) (rwc) (Entered: 02/03/2005)
02/02/2005	87	Opening Brief Filed by Chex Services, Inc., Equitex, Inc., in support of [86-1] motion for Summary Judgment on all Claims Asserted by iGames

		Entertainment, Inc. - Answer Brief due 2/16/05 - (SEALED) (rwc) (Entered: 02/03/2005)
02/02/2005	88	AFFIDAVIT of Patrick D. Robben (Volume 1) filed by Chex Services, Inc., Equitex, Inc., in support of [86-1] motion for Summary Judgment on all Claims Asserted by iGames Entertainment, Inc. - (SEALED) (rwc) (Entered: 02/03/2005)
02/02/2005	89	AFFIDAVIT of Patrick D. Robben (Volume 2) filed by Chex Services, Inc., Equitex, Inc., in support of [86-1] motion for Summary Judgment on all Claims Asserted by iGames Entertainment, Inc. - (SEALED) (rwc) (Entered: 02/03/2005)
02/09/2005	90	CERTIFICATE OF SERVICE by iGames Entertainment re notice of deposition of James Welbourn. (ntl) (Entered: 02/09/2005)
02/09/2005	91	CERTIFICATE OF SERVICE by iGames Entertainment re notice of deposition of Henry Fong. (ntl) (Entered: 02/09/2005)
02/09/2005	92	CERTIFICATE OF SERVICE by iGames Entertainment re notice of deposition of Ijaz Anwar. (ntl) (Entered: 02/09/2005)
02/10/2005	93	MOTION by iGames Entertainment for summary denial of dfts' motions for summary judgment or alternatively for an order scheduling briefing on dfts' motions in accordance with existing deadlines Answer Brief due 2/24/05 re: [93-1] motion (ntl) (Entered: 02/11/2005)
02/14/2005	94	Letter to Judge Jordan from Thomas McGonigle, Esq. regarding discovery dispute. (ntl, ) (Entered: 02/15/2005)
02/14/2005	95	Letter to Judge Jordan from James Semple, Esq. regarding discovery dispute. (ntl, ) (Entered: 02/15/2005)
02/15/2005	96	Minute Entry for proceedings held before Judge Kent A. Jordan : Telephone Conference held on 2/15/2005. (Court Reporter Gaffigan.) (ntl, ) (Entered: 02/15/2005)
02/18/2005	97	STENO NOTES of teleconference held on 2/15/05 before Judge Jordan. Court Reporter: B. Gaffigan. (Notes on file in Clerk's Office) (rwc, ) (Entered: 02/22/2005)
03/15/2005	98	MOTION for Summary Judgment - filed by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc.. (Attachments: # <a href="#">1</a> Certificate of Service)(Neiderman, Matt) (Entered: 03/15/2005)
03/15/2005	99	OPENING BRIEF in Support re <a href="#">97</a> MOTION for Summary Judgment filed by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc..Answering Brief/Response due date per Local Rules is 3/29/2005. (Attachments: # <a href="#">1</a> Certificate of Service)(Neiderman, Matt) (Entered: 03/15/2005)
03/15/2005	100	MOTION in Limine To Preclude, IN Part, The Testimony of John Thomas Shopa - filed by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc.. (Attachments: # <a href="#">1</a>

		Certificate of Service)(Neiderman, Matt) (Entered: 03/15/2005)
03/15/2005	● <a href="#">100</a>	OPENING BRIEF in Support re <a href="#">99</a> MOTION in Limine <i>To Preclude, IN Part, The Testimony of John Thomas Shopa</i> filed by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc..Answering Brief/Response due date per Local Rules is 3/29/2005. (Attachments: # <a href="#">1</a> Exhibit A through D# <a href="#">2</a> Certificate of Service) (Neiderman, Matt) (Entered: 03/15/2005)
03/15/2005	● <a href="#">101</a>	SEALED APPENDIX re <a href="#">98</a> Opening Brief in Support, by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc.(Neiderman, Matt) (Entered: 03/15/2005)
03/16/2005	● <a href="#">102</a>	MOTION Exclude expert testimony - filed by Chex Services, Inc., Equitex, Inc.. (Drnec, James) (Entered: 03/16/2005)
03/16/2005	● <a href="#">103</a>	OPENING BRIEF in Support re <a href="#">102</a> MOTION Exclude expert testimony filed by Chex Services, Inc., Equitex, Inc..Answering Brief/Response due date per Local Rules is 3/30/2005. (Drnec, James) (Entered: 03/16/2005)
03/16/2005	● <a href="#">104</a>	SEALED AFFIDAVIT of James Drnec re <a href="#">103</a> Opening Brief in Support, <a href="#">102</a> MOTION Exclude expert testimony filed by Chex Services, Inc., Equitex, Inc.. (Drnec, James) (Entered: 03/16/2005)
03/16/2005	●	CORRECTING ENTRY: D.I. 101 marked as SEALED DOCUMENT, all attachments removed from the docket (cas, ) (Entered: 03/16/2005)
03/17/2005	● <a href="#">105</a>	NOTICE of Service by Chex Services, Inc., Equitex, Inc. (Drnec, James) (Entered: 03/17/2005)
03/21/2005	● <a href="#">106</a>	REDACTED AFFIDAVIT of James E. Drnec, re <a href="#">103</a> Opening Brief in Support, {redacting <a href="#">104</a> Affidavit}, <a href="#">102</a> MOTION Exclude expert testimony filed by Chex Services, Inc., Equitex, Inc. (Drnec, James) Modified on 3/21/2005 (rwc, ). (Entered: 03/21/2005)
03/21/2005	●	CORRECTING ENTRY: added text "REDACTED" to [DI# 106] public version of Affidavit [DI#104]. (rwc, ) (Entered: 03/21/2005)
03/22/2005	● <a href="#">107</a>	REDACTED VERSION of <a href="#">101</a> Appendix by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc.. (Attachments: # <a href="#">1</a> Exhibit A (Part I)# <a href="#">2</a> Exhibit A (Part II)# <a href="#">3</a> Exhibit B Through E# <a href="#">4</a> Exhibit F Through G (Redacted)# <a href="#">5</a> Exhibit H Through L# <a href="#">6</a> Exhibit M Through O# <a href="#">7</a> Exhibit P Through CC (Redacted)# <a href="#">8</a> Certificate of Service)(Neiderman, Matt) (Entered: 03/22/2005)
03/28/2005	● <a href="#">108</a>	MEMORANDUM in Opposition re <a href="#">99</a> MOTION in Limine <i>To Preclude, IN Part, The Testimony of John Thomas Shopa</i> , <a href="#">100</a> Opening Brief in Support, filed by Chex Services, Inc., Equitex, Inc..Reply Brief due date per Local Rules is 4/4/2005. (Drnec, James) (Entered: 03/28/2005)
03/29/2005	● <a href="#">109</a>	ANSWERING BRIEF in Opposition re <a href="#">97</a> MOTION for Summary Judgment by IGAMES ENTERTAINMENT, INC., filed by Chex Services, Inc., Equitex, Inc..Reply Brief due date per Local Rules is 4/5/2005. (Drnec, James) (Entered: 03/29/2005)

03/29/2005	<a href="#">#110</a>	SEALED AFFIDAVIT of Patrick D. Robben re <a href="#">103</a> Opening Brief in Support, <a href="#">104</a> Affidavit, <a href="#">109</a> Answering Brief in Opposition to the Motion for Summary Judgment by iGAMES ENTERTAINMENT, INC., filed by Chex Services, Inc., Equitex, Inc.. (Drnec, James) (Entered: 03/29/2005)
03/29/2005	<a href="#">#111</a>	ANSWERING BRIEF in Opposition re [84] Motion for Summary Judgment filed by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc.. Reply Brief due date per Local Rules is 4/5/2005. (Attachments: # <a href="#">1</a> Certificate of Service)(Neiderman, Matt) (Entered: 03/29/2005)
03/29/2005	<a href="#">#112</a>	SEALED APPENDIX re <a href="#">111</a> Answering Brief in Opposition, by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc.. (Neiderman, Matt) (Entered: 03/29/2005)
03/29/2005	<a href="#">#113</a>	ANSWERING BRIEF in Opposition re [86] Motion for Summary Judgment filed by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc.. Reply Brief due date per Local Rules is 4/5/2005. (Attachments: # <a href="#">1</a> Certificate of Service)(Neiderman, Matt) (Entered: 03/29/2005)
03/29/2005	<a href="#">#114</a>	SEALED APPENDIX re <a href="#">113</a> Answering Brief in Opposition, by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc.. (Neiderman, Matt) (Entered: 03/29/2005)
03/29/2005	<a href="#">#115</a>	ANSWERING BRIEF in Opposition re <a href="#">102</a> MOTION Exclude expert testimony filed by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc.. Reply Brief due date per Local Rules is 4/5/2005. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Certificate of Service) (Neiderman, Matt) (Entered: 03/29/2005)
04/04/2005	<a href="#">#116</a>	Second AFFIDAVIT of Patrick D. Robben re <a href="#">110</a> Affidavit, Redacted Public Version filed by Chex Services, Inc., Equitex, Inc.. (Drnec, James) (Entered: 04/04/2005)
04/04/2005	<a href="#">#117</a>	REDACTED VERSION of <a href="#">111</a> Answering Brief in Opposition,, <a href="#">112</a> Appendix by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc.. (Attachments: # <a href="#">1</a> Exhibit A (Part I)# <a href="#">2</a> Exhibit A (Part II)# <a href="#">3</a> Exhibit B# <a href="#">4</a> Exhibit C Through F# <a href="#">5</a> Errata G Through L# <a href="#">6</a> Exhibit M Through O# <a href="#">7</a> Exhibit P Through W# <a href="#">8</a> Certificate of Service)(Neiderman, Matt) (Entered: 04/04/2005)
04/04/2005	<a href="#">#118</a>	REDACTED VERSION of <a href="#">114</a> Appendix, <a href="#">113</a> Answering Brief in Opposition, by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc.. (Attachments: # <a href="#">1</a> Exhibit A (Part I)# <a href="#">2</a> Exhibit A (Part II)# <a href="#">3</a> Exhibit B# <a href="#">4</a> Exhibit C Through E# <a href="#">5</a> Exhibit F Through G# <a href="#">6</a> Exhibit H Through M# <a href="#">7</a> Exhibit N Through T# <a href="#">8</a> Errata U Through V# <a href="#">9</a> Exhibit W Through AA# <a href="#">10</a> Exhibit BB (Part I)# <a href="#">11</a> Exhibit BB (Part II)# <a href="#">12</a> Exhibit CC)(Neiderman, Matt) (Entered: 04/04/2005)
04/04/2005	<a href="#">#119</a>	REPLY BRIEF re <a href="#">99</a> MOTION in Limine To Preclude, IN Part, The Testimony of John Thomas Shopa filed by iGames Entertainment, Inc.,